

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:30 P.M.

APRIL 18, 2000

PRESENT:

Ted F. Short, Chairman

Jim Shaw, Vice Chairman

Joanne Bond, Commissioner

Jim Galloway, Commissioner

Pete Sferrazza, Commissioner

Amy Harvey, County Clerk

Katy Singlaub, County Manager

Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

00-298 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the agenda for the April 18, 2000, meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the minutes of the regular meeting of March 28, 2000, be approved.

00-299 ACCEPTANCE OF DONATIONS - SOCIAL SERVICES

Upon recommendation of Mike Capello, Director, Social Services Department, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the following cash donations, totaling \$1,659.50, used to assist families who are clients of Washoe County Department of Social Services and the children in emergency shelter care, be accepted with the Board's gratitude:

\$ 49.50	from Steven and Betsy Card	
\$ 50.00	from the Shonnard Family in the names of Matthew, Annelise and Nell Shonard	
\$ 50.00	from Ronald and Beverly Harger in memory of Dorothy McKinnon	
\$ 50.00	from Ronald and Beverly Harger in memory of Kenny Peterson	
\$100.00	from Tom Lewis	
\$100.00	from Carole Horan	
\$250.00	from Classic Chevys of Reno, Nevada	
\$500.00	from Kiwanis Club of Reno	
\$510.00	from the following employees of the Social Services Department	
	Jennifer Bascom	Michael Capello
	Maggie Downs	Karen Faehling
	John Gancarek	Sharon Gibbons
	Roberta Henriques	Hayley Jarolimek
	Alice LeDesma	Michelle Lucier
	Dorothy Melline	Kathy Myers

00-300 PROPERTY INSURANCE COVERAGE - RISK MANAGEMENT

Upon recommendation of Ray Sibley, Risk Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that the Washoe County Risk Manager be authorized to purchase such insurance as necessary to protect the County and its assets and to execute the necessary agreements to implement the property insurance policy.

00-301 ACCEPTANCE OF GENERAL, HEALTH AND PUBLIC WORKS CONSTRUCTION FUNDS FINANCIAL REPORT - FEBRUARY 29, 2000 - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that General, Health and Public Works Construction Funds financial report for the eight months ended February 29, 2000, unaudited, be accepted.

00-302 RESOLUTION - LETTER OF UNDERSTANDING - RENO-SPARKS CONVENTION AND VISITORS AUTHORITY - LEASE OF PROPERTY - PECKHAM LANE AND KIETZKE LANE

Commissioner Sferrazza advised that the Board members of the Reno-Sparks Convention and Visitor's Authority did discuss this in detail and determined that it is a fair return on their investment while at the same time the RSCVA can invest the \$5,000,000 and earn interest on it rather than paying the \$5,000,000 now.

During the Truckee Meadows Fire Protection District Board meeting, Sam Dehne, a Reno citizen, spoke in opposition to this item.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Short be authorized to execute on behalf of Washoe County:

RESOLUTION NO. 00-302

A RESOLUTION APPROVING A LETTER OF UNDERSTANDING TO LEASE AND/OR ACQUIRE CERTAIN REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF PECKHAM LANE AND KIETZKE LANE; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Board of Directors of the Reno-Sparks Convention & Visitors Authority (respectively, the "Authority Board" and the "Authority") of Washoe County, Nevada (the "County") is authorized pursuant to NRS 244A.619 to acquire real property upon behalf of the County; and

WHEREAS, the Authority proposed (subject to the approval of the Board of County Commissioners of the County (the "County Board") pursuant to NRS 244A.627), to acquire certain real property located at the northwest corner of the intersections of Peckham Lane and Kietzke Lane, within the County designated as Assessor Parcel Numbers 020-255-06, 020-255-07, 020-255-08 and 020-255-09 (the "Property") pursuant to a real

estate purchase agreement (the "Agreement") with Stanharrah, a Nevada corporation ("Stanharrah") approved by the Authority Board on March 23, 2000, and approved by the County Board on March 28, 2000; and

WHEREAS, the Authority has extended an offer to Stanharrah to purchase the Property pursuant to the Agreement, which has not been accepted by Stanharrah; and

WHEREAS, the Authority and Stanharrah desire to enter into a letter of understanding relating to the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:

Section 1. The letter of understanding relating to the lease and acquisition of the Property (the "Letter") attached to the original resolution as Exhibit I is approved pursuant to NRS 244A.627.

Section 2. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 3. This resolution shall become effective and be in force immediately upon its adoption.

00-303 WATER RIGHTS DEED - PALOMINO VALLEY ESTATES, INC.

Upon recommendation of John Collins, Manager, Utility Services Manager, through Ed Schmidt, Water Resources Director, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following actions be taken regarding Norman and Peggy Kull’s parcel map creating two new parcels which are currently a part of APN 076-150-04:

1. The Water Rights Deed for 5.0 acre-feet of groundwater rights from Permit 62600 between Palomino Valley Estates, Inc., as grantor, and Washoe County, as Grantee, be approved and Chairman Short be authorized to execute;
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

00-304 INCREASE REIMBURSEMENT AGREEMENT - REGIONAL TRANSPORTATION COMMISSION - SEWER MAIN - GEIGER GRADE REALIGNMENT - UTILITY SERVICES DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that an increase in the Reimbursement Agreement with the Regional Transportation Commission (RTC) from \$66,000 to \$92,590 for construction costs for a sanitary sewer main and associated work in the South Truckee Meadows be authorized.

00-305 AWARD OF BID - LEAR GARDEN - PUBLIC WORKS DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on March 22 and 24, 2000, for construction of the "Lear Garden" on behalf of the Public Works Department. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

Contractor	Base Bid	Add Alternate
Reno Construction	\$184,886.00	\$3,845.00
Garden Shop Nursery	\$189,100.00	\$4,000.00
Q & D Construction	\$187,550.00	\$5,690.00
Northern Sierra Construction	\$173,866.00	\$3,130.00
Greth Construction	\$164,900.00	\$2,400.00

Upon recommendation of Anthony McMillen, Public Works Department, through Rodney Savini, Capital Projects Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, it was ordered that the contract for the Lear Garden at Rancho San Rafael on behalf of the Public Works Department be awarded to the low, responsive, responsible bidder, Greth Construction, in the amount of \$167,300 (the base bid \$164,900 and add alternate \$2,400), and that Chairman Short be authorized to execute the contract documents upon presentation.

It was further ordered that the use of \$34,900 of capital savings from the Crystal Peak Septic System project be approved as a match to Mrs. Moya Lear's donation of \$132,400 and that the Comptroller's office be directed to make the following budget adjustments and appropriate cash transfers:

Account	Description	Increase	Decrease

90067-7880	Lear Garden	\$ 34,900.00	
92085-7880	Crystal Peak Restroom Septic		\$34,900.00
	Renovation		
90067-6992	Transfer from Public Works	\$ 34,900.00	
	Construction Fund		
92085-8190	Transfer to Parks Construction	\$ 34,900.00	
	Tax Fund		
90067D-7880	Lear Garden	\$107,400.00	
90060D-5802	Lear Garden Donation	\$107,400.00	

00-306 AUTHORIZATION TO NEGOTIATE AGREEMENT - WRC NEVADA - TRUCKEE RIVER FLOOD MANAGEMENT PROJECT - WATER RESOURCES

As requested at the caucus meeting, Ed Schmidt, Director, Department of Water Resources, distributed a list of the 26 firms that were sent the Request For Qualifications and a list of the 6 firms that responded.

Paul Urban, Flood Control Manager, responded to Board members' questions providing background information concerning the coalition meetings and the worksopes that will be developed by the community process.

Commissioner Galloway suggested that a staff member from the Community Relations office attend the meetings along with the facilitator to eliminate any possible conflict of interest. Mr. Urban stated that they have established a public information committee, comprised of the Washoe County, Reno, and Sparks Community Relations Departments, who are charged with gathering and distributing information from all of the meetings.

Commissioner Sferrazza expressed his displeasure that Summit Engineering was not on the list of firms solicited, as he believes they are the largest engineering firm in the area and he favors using local firms.

Upon recommendation of Paul Urban, Flood Control Manager, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried with Commissioners Sferrazza and Shaw voting "no," Chairman Short ordered that the Flood Control Manager be authorized to negotiate an agreement with WRC Nevada to provide engineering and other technical services to the Truckee River Flood Management Project for subsequent approval by the Board.

It was noted that the proposals were evaluated by a selection committee comprised of five members which included one from the City of Reno, one from the City of Sparks, one from Washoe County, and two from the Public Outreach Committee.

INTRODUCTION OF NEW EMPLOYEES

Chairman Short welcomed approximately 30 new employees who introduced themselves to the Board.

00-307 AWARD OF BID - SALT SYSTEM CHLORINE GENERATORS - RFP NO. 2038-98 - UTILITY SERVICES DIVISION - WATER RESOURCES DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on November 24, 1997, for Salt System Chlorine Generators for the Utility Services Division of the Water Resources Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- Hopkins Technical Products, Inc.
- Wallace & Ternan/U.S. Filter

Fourteen potential proposers failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that RFP No. 2038-98 for Salt System Chlorine Generators for the Utility Services Division of the Water Resources Department be awarded to the lowest priced proposer meeting specifications, demonstration and evaluation criteria, Hopkins Technical Products, Inc., and that the Purchasing and Contracts Administrator be authorized to execute agreements for the Salt System Chlorine Generator program.

It was noted that the negotiated installed price of these units is \$17,395.00 per chlorination generator unit; that the proposed project cost will be in excess of \$556,640; that the implementation program at this time will be in effect for a total of 8 years and shall include more than 32 well sites; that Hopkins Technical Products, Inc., shall also be responsible to make available equipment to contractors that will be bringing on line additional wells during the 8-year period. It was further noted that the salt system chlorine generator program is to standardize the equipment and process for the chlorination of waters classified on a non-hazardous basis.

00-308 SPANISH SPRINGS CITIZEN ADVISORY BOARD - RESIGNATION & APPOINTMENT

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Short ordered that the resignation of Vaughn Hartung as an at-large representative on the Spanish Springs Citizen Advisory Board (CAB) be accepted and that Art Verling be appointed to fill this position with a term to expire June 30, 2001.

3:30 p.m. The Board recessed.

5:00 p.m. The Board reconvened with Commissioner Shaw absent and Commissioner Sferrazza arriving at 5:10 p.m.

00-309 APPEAL CASE NO. AX0003-004 - AIRPORT AUTHORITY - SPECIAL USE PERMIT CASE NO. SB0001-003 - ALAN K. AND SEVAH D. REICH

5:00 p.m. This was the time set in a notice of public hearing mailed on April 6, 2000 to affected property owners by the Department of Community Development to consider the appeal by the Airport Authority of Washoe County concerning amendment of the conditions of approval by the Board of Adjustment on a request to designate an existing dwelling of ± 900 square-feet as a detached accessory dwelling unit in order to allow construction of a main residence with ± 2200 square-feet of habitable space and with an attached two-car garage. The property is addressed as 12770 Valley Springs Road and is located on the northeast corner of its intersection with La Guardia Drive, approximately one block south of Zolezzi Lane. The ± 1.5 -acre parcel is zoned Low Density Suburban (LDS) in the Southwest Truckee Meadows Area Plan, is within Washoe County Commission District No. 2, and is within a portion of Section 20, T18N, R20E, MDM, Washoe County, Nevada. (APN: 049-357-02).

Ron Kilgore, Department of Community Development, reviewed background information and advised that conditions for these type of requests are submitted by reviewing agencies; and that the Board of Adjustment (B of A) questioned two conditions derived from the Airport Authority, being (1) the property owner granting an avigation easement over the entire property, which, because the subject property is located outside the noise contours of the airport, was modified to state that that requirement would apply should the property be within the noise contour areas or flight corridors; and (2) the property owner prepare a list of construction methods for noise attenuation to a maximum interior noise of 45 dB Ldn, which condition was eliminated by the B of A because of concerns relative to who would bear the costs of mitigating airport noises. He then reviewed section 110.414.15 of the Development Code concerning airport noise, and section 110.402.10 concerning height restrictions.

Dean Schultz, Interim Manager, Airport Planning and Environmental Services, Airport Authority of Washoe County, provided a map depicting airport noise contour areas. He advised that the Airport Authority has been responsible for mitigating the impacts of aircraft noise on incompatible land uses that have developed near the airport, while, at the same time, they have no authority to approve or deny developments which create incompatible uses; and that the conditions they requested to be part of the special use permit provide the opportunity to prevent what may be a problem in the future. He further stated that they recognize that the property is located outside of the current 65 dB noise contours but single event levels of aircraft noise is going to be high in the area of the subject; that with the increased operations that are forecast over the next several years at the airport, noise contours will increase, and because this property is on the edge of the contour, there is a great potential that it will be within the contour in the future; that the majority of the approximately 300 noise complaints the airport receives each month come from the Southwest with the majority of those people living outside of the 65 dB contour; and that they feel these conditions not only protect the current owner of the property but also any future owner should the ownership change. Mr. Schultz responded to questions of the Board and advised that the avigation easement will help protect the airport from future litigation, but

will also make future homeowners aware that there is airport noise in that area; that regulations do not provide that the airport can pay attenuation costs outside the 65 dB contour; that the Part 150 Program update will look at the possibility of expanding current programs in terms of providing Federal monies to mitigate noise impacts; that, hopefully, ordinances can be developed to address these issues; and that the criteria utilized to determine which properties outside the contour require an avigation easement and attenuation is subjective, but the focus has basically been on properties located in the center of the valley on the southside and northside of the airport.

Commissioner Galloway stated that he is concerned that this request is outside the provisions of the existing ordinance and no objective standard is being followed. Mr. Schultz commented that this is the only avenue they have to bring these issues to the homeowner's attention and prevent future problems. Commissioner Sferrazza stated that he would support an avigation easement for the noise level that exists on the parcel, but anything beyond that he considers a taking of the property. Commissioner Bond agreed and noted that noise level monitors indicated on the map are not anywhere near the subject property, and the noise level on the property is not known.

Further discussion was held concerning avigation easements and height restrictions. Commissioner Galloway stated that he does not understand why height limitations should be imposed on properties that are not in the flight path and suggested that an ordinance might be developed to address that issue.

Upon inquiry of Commissioner Galloway, Sjohnna Knack, Noise Abatement Coordinator, Airport Authority, advised that she is currently working on the sound insulation program in Huffaker Hills where noise is reduced and homes are insulated to a similar decibel level as being requested today; and that they quite typically hear that the results are positive and that single event noise levels are reduced. She further advised that noise is subjective and she gets a lot of noise complaints from people who have avigation easements.

Alan Reich, applicant, stated that most of the issues he is concerned with have been discussed; that he feels that the noise situation is a subjective issue but criteria has to be established for the requirements; that the criteria in the Development Code is 65 dB and his property is located outside of the 65 dB contour; and that he appreciates the Airport Authority's concern for the quietness of his home, but feels that issue is his responsibility, noting that he has lived on the property for five years and understands the noise situation. He responded to questions of the Board and advised that he plans to do as much noise insulation as possible, but would want any mitigation measures to be his own decision.

Chairman Short opened the public hearing and called on those wishing to speak.

Thomas Flynn, President of Citizens for Airport Accountability (CAAA), advised that the CAAA supports Mr. Reich's position that his home is outside of the 65 ldn and the current Part 150 established in 1993 says that any structure outside the 65 ldn is compatible; that they hope that the new Part 150 will address the single event issue, but, until further direction is obtained, the regulations of the current Part 150 should be followed; and that CAAA's position is to mitigate noise at the source and there has been a lot of movement in that direction which will help shrink the contours.

There being no one else wishing to speak, Chairman Short closed the public hearing.

Commissioner Sferrazza moved to deny the appeal as the property is not within the noise contours of the airport and, therefore, Section 110.414.15 of the Development Code does not apply, which action is based on the findings for denial outlined by staff. Commissioner Bond seconded the motion.

Commissioner Galloway stated that he believes denial of the appeal is correct but has a problem with the findings as he does not believe that any of the findings outlined for denial are necessary to deny the appeal; and that he believes that, if the airport is able to provide sufficient information in the future or an ordinance addressing these issues is developed, another appeal might be sustained. Following further discussion, Commissioner Sferrazza amended his motion and the following action was taken:

Based on the finding that the conditions requested by the Airport Authority are not consistent with the plans, policies, and action programs of the Washoe County Comprehensive Plan, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that Appeal Case No. AX0003-004 be denied.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

00-310 Communications:

- A. Washoe County Procurement Card (Pro-Card) Policy and Procedures Guide, Purchasing and Contract Administrator.
- B. Notice of Completion, Zolezzi Lane Waterline Extension, Joe Suter Construction Company, Inc., filed with Recorder March 14, 2000.
- C. Governor’s Fundamental Review of State Government Transfer of Programs Between Entities, updated March 21, 2000.
- D. From the Nevada Department of Transportation, special provisions, proposal, bond, and Contract No. 2965, State Route 667, Kietzke Lane at Truckee River Bridge (B-578), Q & D Construction, Inc., forwarded to Public Works March 30, 2000.
- E. From the City of Sparks, Notice of Intent to annex 32.59 acres east of Vista Boulevard, one-half mile north of Los Alto Parkway, a petition for annexation received from the Bureau of Land Management. Bill 2227 (photocopy with legal description included) scheduled April 10 before the Sparks Council.

00-311 Reports - Monthly (February 2000)

- A. Animal Control
- B. County Clerk
- C. Court Clerk
- D. Social Services
- E. Treasurer

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There being no further business to come before the Board, the meeting adjourned at 6:10 p.m.

TED F. SHORT, Chairman
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk